



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

ROBERT SINGLETARY,  
Petitioner,

vs.

WARDEN MICHAEL STEPHON and BROAD  
RIVER CORRECTIONAL,  
Respondents.

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Civil Action No. 9:19-00227-MGL-BM

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**ORDER ADOPTING THE REPORT AND RECOMMENDATION,  
GRANTING RESPONDENTS MOTION FOR SUMMARY JUDGMENT,  
AND DISMISSING PLAINTIFF'S PETITION WITH PREJUDICE**

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Petitioner Robert Singletary (Singletary), proceeding pro se, filed this action asserting a habeas corpus claim under 28 U.S.C. § 2254. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting Respondents Warden Michael Stephon and Broad River Correctional's (collectively, Respondents) motion for summary judgment be granted and Singletary's petition be dismissed with prejudice. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a *de novo* determination of those portions of the Report to which a specific objection is made, and the Court

may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1). The Court need not conduct a de novo review, however, “when a party makes general and conclusory objections that do not direct the court to a specific error in the [Magistrate Judge’s] proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982); *see* Fed. R. Civ. P. 72(b).

The Magistrate Judge filed the Report on October 2, 2019. Singletary filed his Objection to the Report (Objection) on May 8, 2019. Respondents filed their response to Singletary’s Objection on October 21, 2019. The Court has reviewed Singletary’s objection but holds it to be without merit. It will therefore enter judgment accordingly.

Singletary’s sole objection restates his position he was denied effective assistance of counsel at trial. It fails to address the determinative statute of limitations analysis performed by the Magistrate Judge. Accordingly, the Court will treat Singletary’s objection as a “conclusory objection[.]” and thus obviating the need for de novo review. *Id.* The Court finds no error with the statute of limitations analysis performed by the Magistrate Judge.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Singletary’s objection, adopts the Report, and incorporates it herein. Therefore, it is the judgment of the Court Respondents’ motion for summary judgment is **GRANTED** and Singletary’s petition is **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

Signed this 31st day of October 2019 in Columbia, South Carolina.

s/ Mary Geiger Lewis  
MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE

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**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.